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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 SCOTT JOHNSON,

12 Plaintiff,

13 v.
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15 DARRYL L. PARRISH and
16 ADVANCED TRAILER SALES AND
SERVICE, LLC,

17 Defendants.

No. 2:14-cv-02045-MCE-CKD

ORDER

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19 Presently before the Court is Catherine M. Corfee's unopposed Motion to
20 Withdraw as Counsel for Defendant Advanced Trailer Sales and Service, LLC
21 ("Defendant") (ECF No. 11). For the reasons that follow, Corfee's Motion is granted.

22 Defendant is currently represented by both Corfee and Charles L. Hastings.
23 According to Corfee, she and Defendant agreed on November 17, 2014 that she would
24 cease representing Defendant in this matter, as Defendant preferred to proceed with
25 only Hastings as counsel. Despite her attempts, Corfee has been unable to obtain
26 Defendant's and Hastings's written consent to a substitution of attorneys. See Local
27 Rule 182(g).

28 Because granting Corfee's Motion will not leave Defendant in propria persona,


1 Local Rule 182(d) is inapplicable. California Rule of Professional Conduct 3-700(C)(5)
2 permits a member of the State Bar of California to seek to withdraw from representation
3 when "[t]he client knowingly and freely assents to termination of the employment." Of
4 course, "[a] member shall not withdraw from employment until the member has taken
5 reasonable steps to avoid reasonably foreseeable prejudice to the rights of the client,
6 including giving due notice to the client, allowing time for employment of other
7 counsel, . . . and complying with applicable laws and rules." Cal. R. of Professional
8 Conduct 3-700(A)(2).

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10 There is no indication that granting Corfee's Motion will cause any prejudice to
11 Defendant, as Hastings will continue to represent Defendant in this case. According to
12 Corfee, she and Defendant mutually agreed to the termination of her employment on
13 November 17, 2014. Although Corfee was unable to obtain either Defendant's or
14 Hastings's written consent, Defendant has not filed an opposition to Corfee's Motion or
15 otherwise conveyed to the Court that it does not knowingly and freely assent to Corfee's
16 termination.

17 Accordingly, Corfee's Motion to Withdraw as Counsel for Defendant Advanced
18 Trailer Sales and Service, LLC (ECF No. 11) is GRANTED. Catherine M. Corfee is
19 hereby relieved as counsel of record for Defendant. Charles L. Hastings shall remain as
20 counsel of record for Defendant. The hearing on this matter, currently scheduled for
21 April 16, 2015, is hereby VACATED.

22 IT IS SO ORDERED.

23 Dated: April 6, 2015

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26 MORRISON C. ENGLAND, JR., CHIEF JUDGE
27 UNITED STATES DISTRICT COURT
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